



Office of the Attorney General  
State of Texas

DAN MORALES  
ATTORNEY GENERAL

September 10, 1991

Ms. Annette Jones  
Police Legal Advisor  
City of Waco  
P.O. Box 2570  
Waco, Texas 76702-2570

OR91-409

Dear Ms. Jones:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, article 6252- 17a, V.T.C.S. Your request was assigned ID# 13233.

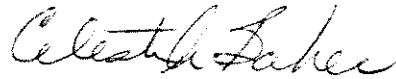
You have received a request for "[c]opies of all records, witness statements and police reports, concerning the arrest and the prosecution of Mr. Vincent Glenn with respect to the criminal offense of theft of services." You claim that the requested information is excepted by sections 3(a)(3) and 3(a)(8) of the Open Records Act.

We have considered the exceptions you claim and have reviewed the documents submitted to us. Previous open records decisions issued by this office resolve your request. Open Records Decision No. 551 (1990) held that section 3(a)(3) applies only when litigation on a specific matter is pending or reasonably anticipated and only to information clearly relevant to the pending litigation. You have submitted to us copies of the requested documents and claim that these records relate to the pending litigation. On its face, the requested information relates to the pending litigation and may be excepted from required public disclosure under section 3(a)(3). Because we resolve this matter under section 3(a)(3), we need not address the applicability of section 3(a)(8) at this time.

Because case law and prior published open records decisions resolve your request, we are resolving this matter with this informal letter ruling rather than with

a published open records decision. If you have questions about this ruling, please refer to OR91-409.

Yours very truly,



Celeste A. Baker  
Assistant Attorney General  
Opinion Committee

CAB/GK/lcd

Ref.: ID# 13233

cc: Mr. Lawrence E. Johnson  
First National Bank Building  
Suite 400  
801 Washington Avenue  
Waco, Texas 76701